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Counsel for Highland Capital Management, L.P.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,¹

Reorganized Debtor.

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Chapter 11

Case No. 19-34054-sgj11

**HIGHLAND CAPITAL MANAGEMENT, L.P.’s SECOND SUPPLEMENTAL
WITNESS AND EXHIBIT LIST WITH RESPECT TO HEARING TO BE
HELD ON DECEMBER 18, 2024**

Highland Capital Management, L.P. (“HCMLP” or, as applicable, the “Debtor”), the reorganized debtor in the above-styled bankruptcy case (the “Bankruptcy Case”), by and through its undersigned counsel, submits the following supplemental witness and exhibit list with respect to (a) *Highland Capital Management, L.P.’s Objection to Scheduled Claims 3.65 and 3.66 of Highland CLO Management, Ltd.* [Docket No. 3657], and (b) *Highland Capital Management*

¹ The Reorganized Debtor’s last four digits of its taxpayer identification number are (8357). The headquarters and service address for the above-captioned Reorganized Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

L.P.’s Motion for (A) a Bad Faith Finding and (B) an Award of Attorneys’ Fees Against Highland CLO Management, Ltd. and James Dondero in Connection with HCLOM Claims 3.65 and 3.66 [Docket No. 4176], which the Court has set for hearing at 9:00 a.m. (Central Time) on December 18, 2024 (the “Hearing”) in the Bankruptcy Case.

A. Witnesses:

1. James P. Seery Jr.;
2. David Klos;
3. Frank Waterhouse;
4. James Dondero;
5. Any witness identified by or called by any other party; and
6. Any witness necessary for rebuttal.

B. Supplemental Exhibits:²

Number	Exhibit	Offered	Admitted
107.	Banking documents concerning January 2018 transfer and reversal – HCLOM00013394, HCLOM00013367-00013378, HCLOM00013339-00013351		
108.	H&W Letter – Ex C – CLO 2014-3 Indenture, 2/25/14 (including the definition of “Controlling Class”) [HCLOM02120372-02120984] ³		
109.	H&W Letter – Ex E – CLO 2014-4 Indenture, 6/5/14 (including the definition of “Controlling Class”) [HCLOM02121038-02121459]		

² The exhibits identified herein supplement the witness and exhibit lists filed with the Bankruptcy Court at Docket No. 4175 on November 21, 2024 and Docket No. 4185 on December 13, 2024.

³ Highland currently intends to rely on the Indentures (marked as Exhibits 31, 33, 35, and 37, respectively) for (a) the definition of “S&P Rating Condition,” a term used in Section 14 of the CLO Portfolio Management Agreements (Exhibits 32, 34, 36, and 38, respectively), and (b) the definition of “Controlling Class,” a term used in paragraph 1 of the Transfer Agreement. Because the Indentures are voluminous, Highland is only offering into evidence the cover page, table of contents, applicable definitions, and signature pages of each Indenture. The complete Indentures were produced to HCLOM Ltd. in discovery and are available upon request.

Number	Exhibit	Offered	Admitted
110.	H&W Letter – Ex G – CLO 2014-5 Indenture, 11/18/14 (including the definition of “Controlling Class”) [HCL0M02121513-02121847]		
111.	H&W Letter – Ex I – CLO 2015-6 Indenture, 4/16/15 (including the definition of “Controlling Class”) [HCL0M02121901-02122230]		
112.	Staff and Services Agreement between Highland CLO Management, LLC and Highland HCF Advisor, Ltd. dated 11/15/17 [HCL0M01253657-01253679]		
113.	Amended and Restated Portfolio Management Agreement between Highland CLO 2014-3R Ltd. and Highland CLO Management, LLC, draft 1/23/18 [HCL0M00571014-00571066]		
114.	Any document entered or filed in the Debtor’s chapter 11 bankruptcy case, including any exhibits thereto		
115.	All exhibits necessary for impeachment and/or rebuttal purposes		
116.	All exhibits identified by or offered by any other party at the Hearing		

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Dated: December 17, 2024

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